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DATE: 1/30/09

PTO IDENTIFIER: Application Number 10/563,687-Conf. #3404  
Patent Number

Inventor: Jacques Benveniste

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: FULBRIGHT & JAWORSKI L.L.P.  
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Attorney Dkt. #: NY-GRYN 229-US (10601562)

PAGES (Including Cover Sheet): 16

CONTENTS: Revised Amendment in Response to Non-Final Office Action  
Response to Notice of Non-Compliant Amendment (1 page)  
Copy of Notice of Non-Compliant Amendment dated January 7, 2009  
Certificate of Transmission (1 page)

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PTO/SB/97 (09-04)

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Application No. (if known): 10/563,687

Attorney Docket No.: NY-GRYN 229-US

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- Revised Amendment in Response to Non-Final Office Action
- Response to Notice of Non-Compliant Amendment (1 page)
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Docket No.: NY-GRYN 229-US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jacques Benveniste

Application No.: 10/563,687

Confirmation No.: 3404

Filed: December 11, 2006

Art Unit: 1641

For: DIAGNOSTIC TEST

Examiner: L. V. Cook

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

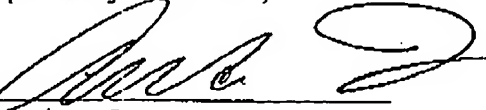
MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment dated January 7, 2009 (copy attached), applicants are submitting a revised Amendment in Response to Non-Final Office Action in response to the Office Action dated May 1, 2008. The revised amendment properly identifies Claim 7 as "(Currently amended)".

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0624, under Order No. NY-GRYN 229-US (10601562) from which the undersigned is authorized to draw.

Respectfully submitted,

By 

C. Andrew Im

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**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated May 1, 2008, please amend the above-identified U.S. patent application as follows:

**Amendments to the Abstract** begin on page 2 of this paper.

**Amendments to the Specification** begin on page 3 of this paper.

**Amendments to the Claims** begin on page 4 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.